

DECLARATION AND POWER OF ATTORNEY

I, Edward Manestar, declare that:

1. My residence, post office address, and citizenship are as stated below under my name and signature.

2. I believe I am the original, first, and sole inventor of the subject matter which is claimed and for which a Reissue Patent is sought for the invention entitled "APPARATUS FOR INSPECTING LATERAL SEWER PIPES" (Attorney Docket No. 13252-9003-01), the original specification of which was filed, with my authority, on April 23, 1998 as Application Serial No. 09/064,920 and issued as U.S. Patent No. 5,992,247 ("the Patent") on November 30, 1999. The corresponding reissue application being attached hereto.

3. I hereby state that I have reviewed and understand the contents of the above-identified reissue application, including the claims added to the Patent therein.

4. I acknowledge my duty to disclose to the Office all information known to me to be material to patentability of the claimed invention as defined in 37 CFR §1.56.

5. I have assigned my entire right, title, and interest to the Patent to Aries Industries, Inc. The assignment is recorded at reel 9129, frame 0361.

6. I believe the Patent to be partly or wholly inoperative or invalid because I claimed less than I had the right to claim in the Patent.

7. One error relied upon as the basis for reissue is that a claim to a self-propelled lateral sewer pipe inspection apparatus was not included in the Patent. The Patent unnecessarily recites in claim 1 a push rod cable having specific structural

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claim 2

limitations *in combination with* a self-propelled lateral sewer pipe inspection apparatus. The other independent claims do not even address that the inspection apparatus is self-propelled, but rather focus on the push rod cable, the launch chute assembly, and the various motors for driving the push rod and manipulating the launch chute assembly.

8. Another error relied upon as the basis for reissue is that the Patent does not include a claim to a lateral inspection apparatus having tilt and rotate motors to enable at least one camera to scan substantially the entire inner surface of the main conduit. While some of the claims in the Patent recite the tilt and rotate motors, those claims unnecessarily recite additional limitations such as the drive motor, the push rod cable, and the launch chute assembly.

9. The above-described errors occurred because my attorneys and I did not fully appreciate the broad scope of my invention during preparation and prosecution of the original patent application that issued as the Patent. We reviewed the prior art patents of which we were aware, and used the prior art patents as a guide to what we could claim in the Patent. Instead of focusing on the broader concepts recited in the new claims added in the reissue application, we focused on more narrow limitations that would define over specific features claimed in prior art patents. Because the claims of the prior art patents focused on such features as the construction of a push rod cable, rather than a propulsion mechanism for the apparatus and/or a means for manipulating of one or more cameras carried by the apparatus, we took an unnecessarily restrictive view of my invention. I now understand that broader patent coverage was and is still available for my invention.

10. All errors being corrected in the reissue application up to the time of filing of this declaration arose without any deceptive intention on my part.

11. No new matter has been added in the present reissue application.

12. I hereby appoint Joseph A. Gemignani (Reg. No. 19,482), Christopher B. Austin (Reg. No. 41,592), David L. De Bruin (Reg. No. 35,489), Gerald L. Fellows (Reg. No. 36,133), Gregory J. Hartwig (Reg. No. 46,761), Daniel S. Jones (Reg. No. 42,697), Richard L. Kaiser (Reg. No. 46,158), Timothy M. Kelley (Reg. No. 34,201), Casimir F. Laska (Reg. No. 30,862), Edward R. Lawson, Jr. (Reg. No. 41,931), Richard H. Marschall (Reg. No. 39,290), Thomas A. Miller (Reg. No. 36,871), Kevin P. Moran (Reg. No. 37,193), Andrew R. Peret (Reg. No. 41,246), David R. Price (Reg. No. 31,557), Thomas S. Reynolds II (Reg. No. 45,262), David B. Smith (Reg. No. 27,595), Derek C. Stettner (Reg. No. 37,945), Billie Jean Strandt (Reg. No. 36,940), Sheldon L. Wolfe (Reg. No. 43,996), Paul F. Donovan (Reg. No. 39,962), Jill A. Fahrlander (Reg. No. 42,518), Grady J. Frenchick (Reg. No. 29,018), Karen B. King (Reg. No. 41,898), Teresa J. Welch (Reg. No. 33,049), Robert S. Beiser (Reg. No. 28,687), Witold A. Ziarno (Reg. No. 39,888), and each or any of them, my attorneys or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

13. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Edward Manestar

February 1, 2001
Date

Residence (city, town,
village, etc.): NO 631022 THUNDERHEAD TR.

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